



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JOHN H. SHERMAN, LEGAL DEPARTMENT
INTERMEC TECHNOLOGIES CORPORATION
5502ND STREET S.E.
CEDAR RAPIDS, IA 52401

COPY MAILED

SEP 18 2006

OFFICE OF PETITIONS

In re Application of	:	
Durbin et al.	:	
Application No. 08/879,467	:	ON PETITION
Filed: June 20, 1997	:	
Attorney Docket Number: DN38240R1	:	
Title of Invention: Code Reader performing	:	
Coded Image Decoding Using Non-Dedicated	:	
Decode Processor	:	
	:	

This is a decision on the petition filed August 26, 2006, under 37 CFR 1.137(b) to revive the above-identified application.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. §704.

This application became abandoned for failure to timely submit the issue and publication fees, as required by the Notice of Allowance and Fee (s) Due and submit corrected drawings, as required by the Notice of Allowability both of which were mailed May 24, 2006. The Notice of Allowance and Fee (s) Due and the Notice of Allowability set a three (3) month statutory period for reply. Extensions of time were not available under the provisions of 37 CFR 1.136(a). Accordingly, this application became abandoned on August 25, 2006. A Notice of Abandonment was mailed on August 25, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a

statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was intentional"; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03 (c)(III)(c) and (D).

The instant petition lacks items (1). Petitioner has failed to submit corrected drawings as required by the Notice of Allowability. Corrected drawings must be submitted before the petition can be revived.

There is no indication that petitioner herein was ever empowered to prosecute the instant application. If petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation must be submitted.

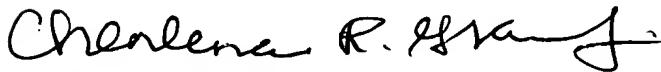
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300

By delivery service: U.S. Patent and Trademark Office
Customer Service Window,
Randolph Building
401 Dulany Street
Alexandria, VA 22314
(FedEx, UPS, DHL, etc.)

Telephone inquiries should be directed to the undersigned at (571) 272-3215.



Charlema R. Grant
Petitions Attorney
Office of Petitions